

12-03-01

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UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>	Attorney Docket No. 043753/241148 (5849-20A)
	First Inventor or Application Identifier: Kakefuda
	Title of Invention: GENES AND VECTORS FOR CONFERRING HERBICIDE RESISTANCE IN PLANTS
	Express Mail Label No. EL 868638393 US

ADDRESS TO: U.S. PATENT AND TRADEMARK OFFICE
P.O. BOX 2327
ARLINGTON, VA 22202

Transmitted herewith for filing in the United States Patent Office is a patent application for:

Inventors: Genichi Kakefuda, Colleen Costello, Ming Sun, Weiming Hu

Assignee of this invention is American Cyanamid Company

- ☒ The Filing Fee has been calculated as shown below:
- ☐ Applicant claims Small Entity Status. See 37 CFR 1.27.

		Small Entity		Large Entity	
	No. Filed	No. Extra	Rate Fee 0	Rate Fee	
BASIC FEE			\$0	\$740.00	
TOTAL CLAIMS:	21 - 20 =	1	X 9 = \$0	1 x 18 = \$	18.00
INDEP CLAIMS:	5 - 3 =	2	X 42 = \$0	2 x 84 = \$	168.00
[<input type="checkbox"/>] MULTIPLE DEPENDENT CLAIMS PRESENTED			+140 = \$	+280 = \$	
*If the difference in Column 1 is less than zero, enter "0" in Column 2.			TOTAL \$	TOTAL \$	926.00

The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Acct. No. 16-0605.

- ☒ Fees required under 37 CFR 1.16 (National filing fees).
 - ☒ Fees required under 37 CFR 1.17 (National application processing fees).
- ☒ A check in the amount of \$ 926.00 for the filing fee is enclosed.
- ☐ The above filing fee will be paid along with Applicant(s) Response to the Notice to File Missing Parts.
- ☒ Specification; Total Pages 45
 - ☒ 9 Sheets of Formal Drawing(s) (35 USC 113)
 - ☒ Declaration and Power of Attorney; [Total Pages 5]
 - ☐ Newly executed (original or copy)
 - ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - ☐ DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) & 1.33(b).
 - ☐ Application Data Sheet. See 37 CFR 1.76
 - ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

11/30/01 U.S. PTO
09/997900

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☒ Computer Readable Copy (CRF)
 - b. ☐ Request for Transfer of Computer Readable Form of Sequence Listing under 37 CFR § 1.821(e) and MPEP 2422.05 (must be compliant with new rules)
 - c. ☒ Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☒ Paper (12 Pages)
 - d. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s) (including a check for the \$40.00 fee)
10. ☐ 37 CFR 3.73(b) Statement (*when there is an assignee*); ☐ Power of Attorney
11. ☐ English Translation Document (*if applicable*)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449; 0 Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
15. ☐ Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
☐ Foreign Priority is claimed as Application No. , filed
16. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).
Applicant must attach form PTO/SB35 or its equivalent.
17. ☐ Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.
18. **If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:**
☒ Continuation ☐ Divisional ☐ Continuation in Part (CIP)

of prior Application No: 09/426,568; Filed October 22, 1999

Prior Application Information: Examiner D. Kruse Group/Art Unit: 1638

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. **CORRESPONDENCE ADDRESS** **CUSTOMER NUMBER 00826**

Signature: Leslie T. Henry

Attorney/Agent of Record: Leslie T. Henry

Attorney/Agent Registration No. 45,714

Alston & Bird LLP

Bank of America Plaza

101 South Tryon Street, Suite 4000

Charlotte, NC 28280-4000

Tel Raleigh Office (919) 862-2200

Fax Raleigh Office (919) 862-2260

"Express Mail" mailing label number EL 868638393 US

Date of Deposit November 30, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Commissioner For Patents, Washington, DC 20231.

Lynda-Jo Pixley
Lynda-Jo Pixley

RTA01/2107922v1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Kakefuda *et al.*

Confirmation No.: Not yet assigned

Appl. No.: Not yet assigned

Filed: November 30, 2001

For: GENES AND VECTORS FOR CONFERRING HERBICIDE RESISTANCE
IN PLANTS

**STATEMENT IN SUPPORT OF FILING A
SEQUENCE LISTING UNDER 37 CFR § 1.821(f)**

Commissioner for Patents
Washington, DC 20231

Sir:

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted concurrently herewith in accordance with 37 CFR § 1.821(c) and (e), are the same.

Respectfully submitted,

Leslie T. Henry

Leslie T. Henry
Attorney/Agent for Applicant
Registration No. 45,714

Customer No. 00826

Alston & Bird LLP

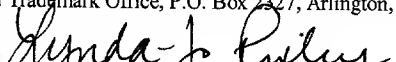
Bank of America Plaza

101 South Tryon Street, Suite 4000

Charlotte, NC 28280-4000

Tel Raleigh Office (919) 862-2200

Fax Raleigh Office (919) 862-2260

<p>"Express Mail" Mailing Label Number EL 868638393 US</p> <p>Date of Deposit: November 30, 2001</p>	<p align="center">CERTIFICATE OF MAILING</p>
<p>I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to U. S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202.</p>	<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on.</p>
<p> _____ Lynda Jo Pixley</p>	<p>_____</p>